

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:15-cr-00085-MR-DLH**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>(4) ANNA MARIE POSTELL COCHRAN;</b>	)	
<b>(5) THOMAS BART COCHRAN;</b>	)	
<b>(6) JEREMIAH JEROME GIBBY;</b>	)	
<b>(7) HOKE BENJAMIN CALEB HAYES;</b>	)	
<b>(8) BRYAN KEITH JENKINS;</b>	)	
<b>(9) RAY CHAD LEQUIRE;</b>	)	
<b>(10) AMANDA BROOKE McKINNEY;</b>	)	
<b>(11) MIRANDA NATIONS;</b>	)	
<b>(12) TAMMIE LYNN PAYNE;</b>	)	
<b>(13) BRANDI LYNN SMITH;</b>	)	
<b>(14) GREGORY DANIEL STEEDLY; and</b>	)	
<b>(15) CAIN HAMILTON STRICKLAND,</b>	)	
	)	
<b>Defendants.</b>	)	
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**THIS MATTER** is before the Court on the motions to continue filed by Defendants Cain Hamilton Strickland, Tammie Lynn Payne, Ray Chad Lequire, Brandi Lynn Smith, Amanda Brooke McKinney, Jeremiah Jerome Gibby, and Miranda Nations. [Docs. 271, 276, 277, 279, 280, 281, 284]. Defendant Anna Marie Postell Cochran moves to join her co-defendants' request for a continuance [Doc. 272]. Additionally, Defendants Hoke

Benjamin Caleb Hayes and Anna Marie Postell Cochran also move for an extension of the deadline to file plea agreements in this matter. [Docs. 278, 283].

On September 15, 2015, the above-referenced Defendants were charged in an eleven-count Bill of Indictment with, *inter alia*, conspiracy to distribute and possess with intent to distribute a quantity of methamphetamine, in violation of 21 U.S.C. § 846. [Doc. 3]. The Defendants are currently scheduled for trial during the April 25, 2016 trial term.

The above referenced Defendants now move for a continuance of the trial, citing among other reasons the need for additional time to review the extensive discovery produced by the Government and to engage in plea negotiations and/or prepare for trial. The Government does not oppose the requested continuance.

For all of the reasons cited by the Defendants, the Court finds that if the requested continuance were not granted, counsel would be denied “the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that failure to continue these cases would result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(7)(B)(i). Because no motion for severance

has been granted, the continuance of the moving Defendants justifies the continuance of their co-defendants as well. See 18 U.S.C. § 3161(h)(6) (allowing for exclusion of “a reasonable period of delay when the defendant is joined for trial with a codefendant as to whom the time for trial has not run and no motion for severance has been granted”). For the reasons stated herein, the ends of justice served by the granting of the continuance outweigh the best interests of the public and the Defendants in a speedy trial. See 18 U.S.C. § 3161(h)(7)(A).

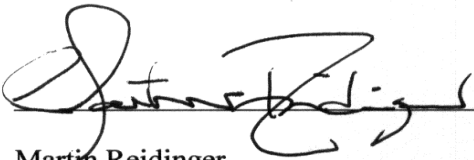
Accordingly, **IT IS, THEREFORE, ORDERED** that the motions to continue filed by Defendants Cain Hamilton Strickland, Tammie Lynn Payne, Ray Chad Lequire, Brandi Lynn Smith, Amanda Brooke McKinney, Jeremiah Jerome Gibby, Miranda Nations, and Anna Marie Postell Cochran [Docs. 271, 272, 276, 277, 279, 280, 281, 284] are **GRANTED**, and the trial of all of the above-captioned Defendants is hereby **CONTINUED** from the April 25, 2016 term in the Asheville Division.

**IT IS FURTHER ORDERED** that the motions filed by Defendants Hoke Benjamin Caleb Hayes and Anna Marie Postell Cochran for an extension of the deadline to file plea agreements in this matter [Docs. 278, 283] are **GRANTED**. Per the Standard Arraignment Order entered in this case, the

plea agreement filing deadline is extended to the third Friday before the June 20, 2016 calendar call.

**IT IS SO ORDERED.**

Signed: April 12, 2016

  
Martin Reidinger  
United States District Judge

